



## Neil Aggett: A sister remembers

Ufrieda Ho , 28 January 2020



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### **Nearly four decades later, the reopening of the inquest into the death in detention of Neil Aggett may finally yield answers and truth.**

Jill Burger is only too aware that knowing can be a curse. But after 38 years she's ready to hear the truth, even the detailed horror, of how her brother Neil Aggett, the anti-apartheid activist, wound up hanged in his prison cell in 1982.

The long-awaited inquest into Aggett's death in detention started last week at the Johannesburg High Court. Burger has flown to South Africa from the UK to be part of the proceedings. At the end of the first week of the inquest she says it's been emotionally shattering, but also unexpectedly healing and comforting.

Aggett was her "baby brother", four years younger, and was "just sweet and lovely" as a boy she says. "I hated boarding school. We weren't allowed out, but Neil would come visit me and we would sit on the lawn and chat," she remembers about the

time after their arrival in South Africa from Kenya with their parents and older brother, Michael.

Years later when she got married, she didn't expect him to come to her wedding because of a rift between Aggett and their father.

"I was sad that I didn't hear from him, but later my brother-in-law confirmed that Neil had come, he was there and that meant a lot to me."

They remained close even though Aggett's relationship with his father was strained – mostly because of their different views on life, their strong-willed personalities and "because Neil grew his hair long and grew a beard", she says.

"When my children were young he would visit with sweets and clothes; it was thoughtful of him. but I remember the clothes were hopelessly in the wrong sizes," she says with a laugh.

At the time of his detention, he was a 28-year-old doctor who also worked for the African Food and Canning Workers Union, organising and campaigning for workers' rights from 1979.

"Neil walked a delicate line, but he was careful not to do anything that could get him detained or banned because he knew that would be detrimental to the union," she says. Burger says she needs to know why her brother, who was not part of the underground movement, came to be in the security police's crosshairs.

It was in late November 1981 that Aggett was detained with his girlfriend and fellow doctor Liz Floyd. Both had been followed for months by the Security Branch police. They were taken to different police stations; it was the last Floyd saw of Aggett. Floyd was put into solitary confinement and interrogated. Aggett's interrogation would include electric shocks and beatings. After 70 days in detention, no charges were brought against him. Then on 5 February 1982 he was found dead, hanging from the bars in his cell.

An inquest that year cleared the apartheid police of wrongdoing; they called Aggett's death a suicide. His friends and family have never believed it, though Floyd, at the time, did not dispute the possibility of Aggett being driven to suicide.

Family, friends and a team of supporters, including human rights lawyers, have challenged the National Prosecuting Authority (NPA) since 2003 to have Aggett's case, with those of other activists, reinvestigated. When its work wrapped up, the Truth and Reconciliation Commission (TRC) handed more than 300 cases to the NPA with instructions for further investigation and possible prosecutions.

In the interminable delay, the Security Branch policemen identified as Aggett's chief torturers, Lieutenant Steven Whitehead and Major Arthur Conwright have died. Whitehead had until his death in April 2019 remained free from prosecution and even ran a business in Centurion called CBIA and maintained a Twitter account.

Clients listed on his website included several government departments. It remains a suspicious “coincidence” that the NPA announced the reopening of the Aggett inquest just days after Whitehead’s death, reportedly from cancer at the age of 62.

It’s more questions and more deep insult for Burger. “It’s still spooky that this is going on. There ought not to be people in power now – in a democratic South Africa – protecting these torturers.

“Whitehead and Conwright are both dead now, but I still want it confirmed that Neil was tortured to death by their hands,” says Burger.

It hasn’t been easy listening to testimony and taking the stand herself. Burger holds her face in her hands and takes in a deep breath as she tells of the experience of being at the staging of a hanging last week that took place during the site visit to the notorious 10th-floor cell at Johannesburg Central Police Station (then John Vorster Square) in which Aggett died.

“They bought in a young man who was about Neil’s build to show how difficult it would have been for him to hang himself. I had to look away and I still haven’t been able to look at the photos of Neil’s body when they found him in the cell, but I may have to,” she says.

Burger is 71 years old now. She left South Africa shortly after her brother’s death with her husband Paul Burger and their two young children, Miles and Katy. Paul Burger died three years ago.

“I wasn’t political like Neil was, even though we were all liberal-minded and I spoke at several rallies after Neil’s and other activists’ deaths. I was just numb with grief and Paul and I literally just gave our things away and left for the UK with our suitcases because I just needed to go,” she remembers.

She left the country, but the sadness, the longing and the questions stayed.

“We knew nobody in the UK and for the first four years it was financially very tough as Paul, who was an academic teaching English, had to go back to study to become a solicitor and I had to take secretarial work while we raised two young children,” she says.

As the years have passed she found herself speaking up more and more about her brother. The disbelief of people in the UK about detention without charge or torture in the 1970s and 1980s in South Africa compelled her to want to set the record straight.

Setting the record straight is what these next four, perhaps five weeks of the inquest mean for her, even if some of the details revealed stir up anger and heartache. She’s watched and listened as her brother’s friends, fellow activists and Floyd have taken the stand.

Floyd had told *The New York Times* in January 1983 that she believed Aggett could have been driven to commit suicide.

“If she had not been detained herself, she said, she would never have thought him capable of suicide. But now she considers indefinite detention without trial as ‘just a continuous suicide story,’” wrote reporter Joseph Lelyveld.

Testifying last week, Floyd recounted her own torture and interrogation that led her to suffer severe post-traumatic stress so debilitating that she had to learn to read and write again after Aggett’s death. She described how even concentrating long enough to brush her teeth was agony.

Floyd was refused permission to attend Aggett’s funeral, which was attended by 15,000 people. He was buried in a coffin made for him by a group of men Aggett worked with, developing their carpentry skills.

“I just have the deepest admiration, respect and fondness for Liz who has over the last few years had to go through this difficult process to come to the realisation that Neil could not have hanged himself. I feel so for her because she’s had to keep coming back to this even as she’s got married and raised a family,” says Burger.

Floyd’s testimony reflected her medical expertise. She detailed the “strange” and “extremely unusual way” Aggett’s body was positioned in the mortuary. There was an absence of visible marks on his neck and his body was covered below his shoulders”, she noted. Floyd had been allowed to see the body because she “needed to understand that he was dead”.

She also pointed out that the first inquest had been held under the intimidating presence of Security Branch police in the courtroom. Floyd also spoke of a lingering terror of Whitehead even as this second inquest was in the making. Whitehead had also interrogated her.

“I feared Whitehead’s response to the second inquest and was concerned about my physical safety, until I learnt of his death in 2019. I considered him a dangerous individual who had the ability and means to harm me,” Floyd testified.

It was also only in 2018 that Floyd could bring herself to work with the private investigators on the case in preparing for this second inquest and to look at the photographs of Aggett’s body. That’s when she started to see things that didn’t add up. They contradicted her memory, notes and drawings she made, and information presented in the first inquest.

In her 46-page affidavit, Floyd also writes how she had held on to the clothes and shoes Aggett had died in for years.

“For myself, his family and people close to him, it has remained distressing all these years to imagine what he may have experienced in the last hours of his life. Inevitably we worried about what could have been done to prevent him from taking

his life, if indeed he took his own life. This concern made the grieving process more distressing and we have not had closure all these years.”

For Burger, being in South Africa for the inquest has meant pushing pause on her “idyllic life in a town at the edge of the Cotswolds” where she plays tennis three or four times a week. That’s home now for Burger, but she can never separate South Africa from her story, mostly because it is the story of her beloved brother and the country and its people he had such passion for, she says.

“I believe Neil would have gone on to be a surgeon, like he talked about before his detention. He would never have become some big shot, he would have continued to work in the poorest and most needy hospitals — that was just the kind of man he was,” Burger says. **MC**

### **Reference:**

Ho. U. (2020). [Neil Aggett: A sister remembers](https://www.dailymaverick.co.za/article/2020-01-28-neil-aggett-a-sister-remembers/) from *Daily Maverick*, 28 January 2020, online. Available at <https://www.dailymaverick.co.za/article/2020-01-28-neil-aggett-a-sister-remembers/>. Accessed on 4 February 2020.